

**Before the
Federal Communications Commission
Washington, D.C. 20554**

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FCC - MAILROOM

In the Matter of:

Amendment of Part 97 of the Commission's Rules
To Implement WRC-03 Regulations Applicable to
Requirements for Operator Licenses in the
Amateur Radio Service

WT Docket No. 05-235

RM-10781, RM-10782, RM-10783,
RM-10784, RM-10785, RM-10786,
RM-10787, RM-10805, RM-10806,
RM-10807, RM-10808, RM-10809,
RM-10810, RM-10811, RM-10867,
RM-10868, RM-10869, RM-10870**NOTICE OF PROPOSED RULEMAKING AND ORDER****AUTHOR: Chasity Sharp**

This comment is in reference to the FCC's revision to the Amateur Radio Service Rules, 70 Fed. Reg. 51705-01, 2005 WL 2084044, proposing to eliminate all Morse code requirements. It is of my opinion that dropping the 5 wpm Morse code element as a requirement to obtain a General License should be eliminated while the requirement should be maintained only for the Amateur Extra class license.

The Purposes of the Amateur Radio Service

In 1928, in response to the emergence of amateur radio, Paul M. Segal established a Suggested Amateur's Code in Part 97, which defined the purposes of the amateur radio service as 1) recognition and enhancement of the value of the amateur service to the public as a voluntary noncommercial communication service, particularly with respect to providing emergency communications, 2) continuation and extension of the amateur's proven ability to contribute to the advancement of the radio art, 3) encouragement and improvement of the amateur service through rules which provide for advancing skills in both the communications and technical phases of the art, 4) expansion of the existing reservoir within the amateur radio service of trained operators, technicians, and electronics experts, and 5) continuation and

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extension of the amateur's unique ability to enhance international goodwill. These purposes remain prevalent today. It is with numbers 1 and 3 in which the Morse code requirement seems incoherent. It is important, as a structured hobby (for lack of a better term), to remain attractive to those who are interested in fulfilling his or her personal interests in the Amateur Radio service. In that perspective, it seems particularly discouraging to place limits on one's ability to practice a hobby. For example, a poet is not limited to language in which only a particular group can understand or an artist is not barred from his or her passion in human beauty when he or she fails to pass some objective multiple-choice examination on the use of outdated artistic terminology. If one's desire to participate in some socially stimulating & voluntary practice is confined to the alleged objectivity of some man-made mode of elimination, then half of us would not be bible school teachers, writers, actors, or singers. It may be argued that the Morse Code requirement is a limitation to one's pursuit to his career or just a fun hobby. In either event, such limitation should not be placed so strongly on one's desire to involve himself in an internationally assistive unit such as Amateur Radio. If such a limitation is so important, than one must again evaluate the language of the purpose of the unit itself: 1) to recognize and enhance the value of the amateur service to the public as *a voluntary noncommercial* communication service. If, in fact, one of the purposes of this hobby is to enhance the value of it as being *voluntary*, then it seems inconsistent to name an activity *voluntary* while restricting one's involvement within such activity to some outdated rule or regulation. This, ironically, restricts the "voluntariness" of the activity to those who involuntarily submit to the Morse code test. If, in fact, this technology's purpose is *noncommercial*, then why are only professionals or "licensed individuals" permitted to participate within this so-called "hobby"? It seems implicit within this purpose that the technology is only voluntary for those who do not participate in it

and, rather, those who choose to regulate it without an effective evaluation of the modern modes

of communication substantially impairs the effectiveness of the voluntary service itself.

Next, one should evaluate the next purpose, which is to encourage and improve the amateur service through rules which provide for advancing skills in both the communications and technical phases of the art. A relevant argument here supporting the Morse code requirement is that the requirement does, in fact, encourage advancing skills. Ignored within this rule, however, is the acknowledgement, i.e. number 1, that this service is voluntary and, in actuality, a hobby, which assists the world in its modes of communication. If, in fact, this service is voluntary, it is discouraging to require volunteers to submit to a series of tests to declare skills in a rarely used and greatly extinct mode of communication. As such, knowledge in this area should be a choice. While one has the opportunity to begin his hobby without the constant limitation of a Morse code test, one may not advance without such knowledge. As such, skillful amateur radio operators are unable to passionately pursue their hobbies or desires without such testing. While it may be deemed useful, the use of Morse code was outdated with the new millennium and, therefore, should not be a strict requirement of amateurs who engage in such activity for fun. Previous comments suggest that, while some individuals deem the test to be easy, others remain restricted because of its difficulty. The challenge of the test remains subjective and should be not considered for purposes of evaluating whether it should remain. Instead, it is more important to acknowledge that many willing individuals are being shut out of this service due to an obsolete requirement that even the majority of other countries are abandoning. See <http://www.cara.ampr.org/cwinfo.html> & <http://www.arrl.org/news/stories/2005/08/10/1/?nc=1> where China & Japan drop the Morse Code requirement, among other countries.

For these purposes, one is not suggesting that the requirement does not further the level of success in the amateur radio operators within the market already. Instead, what it more apparent is the implicit discouragement and weeding-out of willing, passionate individuals with the skills necessary to contribute greatly to the development of *modern* radio communication. While it is important to remember our past, our future in communications is what should guide us. Thus, if anything should be required, it should be testing in the use of more modern forms of communication utilized during times of emergency and non-emergencies. Ironically, Morse code is the only mode of communication required.

The FCC created this service “to fill the need for a pool of experts who could provide backup emergency communications in time of need.” The most important question underlying this goal is whether, in this service, the FCC is looking for “amateurs” or, in actuality, “experts”. In either event, learning to communicate in Morse code should be voluntary when it is the least used.

The Purpose of Morse Code

While the argument above is significant for the effective evaluation of the FCC’s proposal, I am not discounting the grave importance in the Morse code. Historically developed by Samuel Morse for early radio communications, the 21st century role of Morse code is that of assistive technology.¹ As such, Morse code has been used more recently to assist people with a variety of disabilities in their communication. To ignore the needs of the 12.8 million disabled individuals would be a ludicrous attempt to ignore the important connection between the use of Morse code communication and amateur radio operators.² Even among these 12 million disabled

¹ See http://en.wikipedia.org/wiki/Morse_code.

² See the 2003 U.S. Census by the American Community Survey (ACS) at <http://www.census.gov/hhes/www/disability/disability.html>.

individuals, communication remains an important tool. To ignore that tool must surely be against public policy.

Even today, the International Morse Code “requires less complex equipment than other forms of radio communication,” even voice communication.³ Thus, while the use of Morse code is rather obsolete, in a world of extensive human and natural disasters, the use of Morse code survives that of all other modes. For example, consider the most recent disaster of Katrina. While thousands of residents fought to reach safety, let us not forget that cell phones, mail, and text messaging was temporarily useless and out-of-reach. It is that of Morse code communication that survives such disasters and, thus, should not be discounted as unnecessary though obsolete. There is a difference between being unused and unusable. It would be unfortunate to have a “Titanic” situation if our government depends more on man-made highly computerized and technical inventions, such as a fallible satellite, than the less complex and less technical Morse code, which requires less complex equipment and bandwidth.

While requiring such knowledge is inconsistent with the purposes of the amateur service themselves, such knowledge should be greatly encouraged among the *volunteer* amateurs. Several amateur radio operators have and will continue to desire the knowledge. Instead of discouraging those amateur service operators who desire the General operator license, to the contrary, maintaining knowledge of Morse code communication as an option would likely be an encouragement to those who desire to upgrade to the Amateur Extra class. At that point, individuals who retain the extensive passion such that he or she desires to be an Amateur Extra class operator should surely be capable of transmitting Morse code communication in the event of an emergency. To require such, however, may prevent that individual from even making it that far.

Conclusion

There is clearly a dilemma between the purposes of the Amateur Radio service and the Morse code that warrants attention. It is my opinion that this dilemma could be best served in the interest of both those interested in becoming an amateur radio operator General licensee and the disabled individuals and armed forces who still display need for Morse code communication. To do so, there are two alternatives. First, the Morse code requirement can be eliminated altogether. Here, in order to take into account the significant use of Morse code, individuals would not be barred from pursuing his or her interest in voluntarily communicating with others using various modes of communication. Further, those passionate individuals who are of great service to the HAM community should be encouraged to learn Morse code. Not requiring such knowledge would not prevent those who are genuinely interested in aggressively pursuing their interests from learning how to communicate in a mode vastly important during emergencies. Second, only requiring the Morse code element for the Amateur Extra class would further both of the conflicting purposes mentioned earlier. While allowing voluntary individuals to pursue their interests, those who desire the highest license should be able to assist during times of emergency, a time when Morse code is the most simplistic form available. This supports number 3 of the purposes of the service altogether. The FCC should not be afraid to approach this concept simply because classification is the reality of our nation today, as it has been historically. Just as there are Associates and Partners in law firms, Residents, Chief Residents, and Doctors in hospitals, and Dentists and Dental Assistants in dentistry practices, those who seek the highest qualification in their field must maintain something so prestigious and noteworthy that justifies their higher ranking. There is no difference between the Technician, General, and Amateur Extra Class licensee and a high school graduate, college graduate, and graduate student with a

See <http://www.uwea.edu/cc/morse2000.htm>.

Master's or Doctoral degree. While one who wishes to upgrade to General licensee must already
take a more complex test, one who wishes to represent the supreme level of Amateur Radio
should be able to transmit communication in all modes of communication, commonly used or
not. Therefore, at least to prevent discouragement to individuals interested in Amateur Radio
and to address necessities during disasters, it is my opinion that the public would be best served
if the Morse code element was eliminated for the General class and required for the Amateur
Extra class license.